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***Public Utilities Commission of the State of California***  
*William Ahern, Executive Director*

**Headquarters**

505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2782

**Southern California Office**

320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013  
(213) 576-7000

Website: <http://www.cpuc.ca.gov>

Calendar Archive: [http://www.cpuc.ca.gov/daily\\_calendar\\_archive/](http://www.cpuc.ca.gov/daily_calendar_archive/)

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**Daily Calendar**  
**Wednesday, December 17, 2003**

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/ Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



**The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities.**

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

E-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)

toll-free: 1-866-849-8390

Voice: 415-703-2074

FAX: 415-355-5404 (Attn.: Public Advisor)

TTY: 1-866-836-7825 (toll-free)

1-415-703-5282

**REGULAR COMMISSION BUSINESS MEETINGS**

December 18, 2003	<b>9 am</b>	San Francisco
January 8, 2004	10 am	San Francisco
January 22, 2004	10 am	San Francisco

**COMMISSION RATESETTING DELIBERATIVE MEETINGS**

(Not Open to the Public)

*Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.*

January 5, 2004	1:30 pm	San Francisco
January 16, 2004	1:30 pm	San Francisco
February 6, 2004	1:30 pm	San Francisco

**OTHER COMMISSION MEETINGS****NONE**

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**NOTICES****Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4<sup>th</sup> Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed **ONLY** to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

**Charge for Commission Documents**

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

**Commission Resources Available for Rental**

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

**SUBSCRIPTION INFORMATION****Subscription to Daily Calendar, Commission Meeting Agenda, and Draft Agenda Items**

For information contact: California Public Utilities Commission  
Attention: Poly Arca  
505 Van Ness Avenue, Room 1003  
San Francisco, CA 94102  
Phone: (415) 703-1798  
E-mail: pol@cpuc.ca.gov

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**COMMISSIONER OFFICE HOURS**

NONE

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**PUBLIC MEETING & WORKSHOPS****Workshop Notice/Public Meeting - California Teleconnect Fund Administrative Committee (REVISED AS OF 12/5/03.)**

December 17, 2003  
10 am – 3 pm

California Public Utilities Commission  
505 Van Ness Avenue, Training Room  
(Corner of Van Ness Avenue and McAllister Street)  
San Francisco

**Meeting Description:** Introduction; 2. Public Comments; 3. Review and Approval of Previous Meeting Minutes; 4. Liaison Staff Report, a) Administrative Committee Budget Update, b) Status of CTF fund, c) SB 720 and AB 855, d) Commission staffing for application review, e) Other Administrative Matters; 6. Budget Development; 7. Annual Report – R. Lehman; 8. Announcements; 9. Member Recommended Agenda Items, a) Subcommittee Reports - Outreach for various communities: Public Libraries: Ouye & Crowe, Health care: Avram & Chang, Consumer and community organizations: Virrey & Wilcoxon, Hearing impaired & disabled communities: Matthews and Burstein, Program streamlining – improvement: Carriers and Wilcoxon, Rural Health care discount stacking: Ouye and Avram, Outreach: Lehman and Matthews, b) Timeline for required CTF Financial and Compliance audits, c) CTF applicant problems with discounts on DSL service; 10. New and Old Business; and 11) Future Meeting Date and Time.

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**NOTICE OF DRAFT RESOLUTIONS  
(Pursuant to PU Code § 311(g))**

Draft Resolutions M-4810 and M-4811 will be placed on the Commission Meeting Agenda of December 18, 2003. Resolution M-4810 adopts level of Utilities Reimbursement Account Fees for fiscal year 2003-04. Resolution M-4811 adopts level of Transportation Reimbursement Account Fees for fiscal year 2003-04. Interested parties may obtain a copy of Resolution M-4810 and M-4811 for review and submission of written comments. A copy of the draft resolutions may be obtained from, and any subsequent written comments should be submitted to:

Mike Cooper  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
dmc@cpuc.ca.gov

Parties who wish to file comments on either of these resolutions may do so no later than December 8, 2003.

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**Draft Resolution Increasing Household Goods Carrier Maximum Rates Available**

A draft resolution (TL-19036) of the Consumer Protection and Safety Division that increases the household goods carrier maximum rates contained in Maximum Rate Tariff 4 will be on the January 8, 2004 Commission meeting agenda. It is now available for public review and comment. For details on how to obtain a copy of the draft and file comments on it, refer to the notice that was published on this matter in the December 4, 2003 Daily Calendar. It is available through the Daily Calendar Archives on the Commission's web site:  
<http://www.cpub.ca.gov/cyberdocs/Libraries/WEBPUB/Common/agSearchDsp.asp>

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**NEW FILINGS**

NONE

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

- 12/15/03      **C98-04-004** - The Utility Consumers' Action Network vs. Pacific Bell, for unlawful and deceptive sales programs and practices.  
**C98-06-003** - The Greenlining Institute and Latino Issues Forum vs. Pacific Bell, for deceptive sales practices, false and deceptive advertising, unfair competition and invasion of privacy.  
**C98-06-027** - The Utility Consumers' Action Network vs. Pacific Bell, for unlawful marketing and education of the Caller ID and related services.  
**C98-06-049** - Telecommunications International Union, California Local 103, International Federation of Professional and Technical Engineers, AFL-CIO vs. Pacific Bell, Pacific Telesis, and Southwestern Bell Communications, for unlawful marketing practices and fraudulent misrepresentation to consumers of the Caller ID Service; deceptive sales and marketing of 'packaged services' and for unlawful and deceptive sales programs and practices.  
**I90-02-047** - COMMISSION INVESTIGATION INTO THE ESTABLISHMENT OF A FORUM TO CONSIDER RATES, RULES, PRACTICES AND POLICIES OF PACIFIC BELL AND GTE CALIFORNIA, INC.; **Application for Rehearing of D03-11-021 by SBC California.**
- 12/15/03      **C98-04-004** - The Utility Consumers' Action Network vs. Pacific Bell, for unlawful and deceptive sales programs and practices.  
**C98-06-003** - The Greenlining Institute and Latino Issues Forum vs. Pacific Bell, for deceptive sales practices, false and deceptive advertising, unfair competition and invasion of privacy.  
**C98-06-027** - The Utility Consumers' Action Network vs. Pacific Bell, for unlawful marketing and education of the Caller ID and related services.  
**C98-06-049** - Telecommunications International Union, California Local 103, International Federation of Professional and Technical Engineers, AFL-CIO vs. Pacific Bell, Pacific Telesis, and Southwestern Bell Communications, for unlawful marketing practices and fraudulent misrepresentation to consumers of the Caller ID Service; deceptive sales and marketing of 'packaged services' and for unlawful and deceptive sales programs and practices.  
**I90-02-047** - COMMISSION INVESTIGATION INTO THE ESTABLISHMENT OF A FORUM TO CONSIDER RATES, RULES, PRACTICES AND POLICIES OF PACIFIC BELL AND GTE CALIFORNIA, INC.; **Application for Rehearing of D03-11-021 by The Utility Reform Network.**
- 12/15/03      **A00-10-044** - Altrio Communications, Inc., for a Certificate of Public Convenience and Necessity to operate as a Provider of facilities-based and Resale Local Exchange and Interexchange Telecommunications Services within the State of California; **Application for Rehearing of opinion [D03-11-016] granting facilities-based local exchange authority to Altrio Communications, Inc. by Pasadena Neighborhood Coalition.**

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**DRAFT DECISIONS \* PROPOSED DECISIONS \* ALTERNATES \* PRESIDING OFFICER'S DECISION \* ARBITRATOR'S REPORTS**

NONE

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**ADVICE LETTER FILINGS**

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

To protest a filing, mail the original letter/telegram to the Chief of the appropriate division (i.e., "Chief, [Energy, Telecommunications or Water] Division"), to be received no later than 20 days after the date the Advice Letter was filed.

"Effective TBD" means that the date is to be determined by further Commission action. A date listed as "anticipated effective" may be subject to change. An Advice Letter Supplement is not a new filing, and there is no protest period unless indicated.

11/25/03	Telecom 1	TELEMEX INTERNATIONAL, Competitive Local Exchange Carrier tariff filing ( <b>effective TBD</b> )
12/09/03	Telecom 24413	PACIFIC BELL, Express contract for DDD-VPP, Local & Zones 1, 2, 3 Usage Measurement, Calling Card (cc) and Custom 8 (C8) service. ( <b>effective TBD</b> )
12/10/03	Telecom 2824	AT&T COMMUNICATIONS OF CALIFORNIA, INC, AT&T extends a promotion and ends seven promotions. ( <b>effective TBD</b> )
12/10/03	Telecom 1	BRIDGE COM INTERNATIONAL, INC., Transfer of Control of BridgeCom International Inc to MCG Capital Corporation ( <b>effective TBD</b> )
12/10/03	Telecom 238	MCI METRO ACCESS TRANSMISSION SERVICES, To reduce monthly recurring charge for Residential RLD to \$16.99. ( <b>effective TBD</b> )
12/10/03	Telecom 255	TCG LOS ANGELES, Amended Contract ( <b>effective TBD</b> )
12/11/03	Telecom 179	COX CALIFORNIA TELCOM II, LLC., Revise Call Plans and Promotions ( <b>effective TBD</b> )
12/11/03	Telecom 24344-A	PACIFIC BELL, <b>Supplements A.L.No.24344</b> , Rule 24 - Extension of Relief for Disaster Victims ( <b>effective TBD</b> )
12/11/03	Telecom 24422	PACIFIC BELL, Express Contract for GigaMAN service. ( <b>effective TBD</b> )
12/11/03	Telecom 887	SUREWEST TELEPHONE, Express Contract ( <b>effective TBD</b> )
12/12/03	Energy 2408G-C	PACIFIC GAS & ELECTRIC COMPANY, <b>Supplements A.L.No.2408G</b> , Wild Goose Storage Expansion CPCN amendment, proposed revisions to Rule 14 - Capacity Allocation and Constraint of Natural Gas Service ( <b>anticipated effective 10/13/02</b> )
12/12/03	Energy 1544E	SAN DIEGO GAS & ELECTRIC COMPANY, California Energy Commission Electricity Surcharge Rate Filing ( <b>anticipated effective 01/01/04</b> )
12/12/03	Telecom 2	ENHANCED COMMUNICATIONS NETWORK, INC., Initial Tariff for Services ( <b>effective TBD</b> )
12/12/03	Telecom 325	KERMAN TELEPHONE COMPANY, Clean up Text ( <b>effective TBD</b> )
12/12/03	Telecom 24425	PACIFIC BELL, To decrease wire pro and inside wire repair service rates ( <b>effective TBD</b> )
12/12/03	Telecom 256	TCG LOS ANGELES, Offers three promotions. ( <b>effective TBD</b> )
12/12/03	Telecom 118	TCG SAN DIEGO, TCG San Diego offers three promotions. ( <b>effective TBD</b> )

12/12/03	Telecom 119	TCG SAN FRANCISCO, Three Promotions ( <b>effective TBD</b> )
12/12/03	Telecom 305	THE VOLCANO TELEPHONE COMPANY, ESTABLISH A PROMOTIONAL CAMPAIGN SCHEDULE ( <b>effective TBD</b> )
12/15/03	Energy 2449E	PACIFIC GAS & ELECTRIC COMPANY, Adjustment of the Fixed Transition Amount Charges for 2004 ( <b>anticipated effective 01/01/04</b> )
12/15/03	Energy 2505G	PACIFIC GAS & ELECTRIC COMPANY, Noncore to Core Service Eligibility and Crossover Procurement Rate ( <b>anticipated effective 03/01/04</b> )
12/15/03	Energy 1764E	SOUTHERN CALIFORNIA EDISON COMPANY, Annual Trust Transfer Amount (TTA) True-Up Mechanism Advice Filing ( <b>anticipated effective 01/01/04</b> )
12/15/03	Telecom 11	NII COMMUNICATIONS, LTD, REFORMAT FOR CLARITY, MINOR RATE DECREASE ( <b>effective TBD</b> )
12/15/03	Water 1610	CALIFORNIA WATER SERVICE COMPANY, [Bakersfield District] Attrition increase for 2004. ( <b>effective TBD</b> )
12/15/03	Water 1611	CALIFORNIA WATER SERVICE COMPANY, [South San Francisco District] Attrition increase for 2004. ( <b>effective TBD</b> )
12/15/03	Water 42	WEIMAR WATER COMPANY, INC., Requesting approval for a loan to construct an intertie pipeline to loop the existing distribution system. ( <b>effective TBD</b> )
12/16/03	Energy 3321G	SOUTHERN CALIFORNIA GAS COMPANY, Daily balancing standby rates for December 9-15, 2003 ( <b>anticipated effective 12/16/03</b> )

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#### ADVICE LETTER SUSPENSIONS (Pursuant to M-4801, 04/19/01)

To inquire about a suspension, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

**NONE**

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#### ADVICE LETTER PROTESTS

To inquire about a protest, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

**NONE**

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#### MISCELLANEOUS TRANSPORTATION ITEMS Filings with Consumer Protection and Safety Division

NONE

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**December 17, 2003**

**Date Filed**

**Subject**

November 5, 2003

Notice of filing of a letter request by Western Wireless to be designated as Eligible Telecommunications Carriers (ETCs) in certain parts of Imperial County for purposes of federal universal service support. Protests or comments should be made within 20 days from the date this notice first appear in this Daily Calendar and should be sent to Telecommunications Division, Hassan Mirza, 3<sup>rd</sup> Floor, 505 Van Ness Avenue, San Francisco, CA 94102. To obtain a copy of this letter request, please contact Leon M. Bloomfield, Esq. at (510) 625-8250 or forward a request to Wilson & Bloomfield LLP, Attorney at Laws, 1901 Harrison Street, Suite 1630, Oakland, CA 94612. If you have any questions about this letter request, you may contact Hassan Mirza at 415-703-1638.

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**TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS**

**12/12/03**

ALJ Patrick

**A.02-11-044** - In the Matter of the Application of SAN GABRIEL VALLEY WATER COMPANY (U337W) for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division to increase revenues by \$11,573,200 or 39.1% in 2003, \$3,078,400 or 7.3% in 2004, \$3,078,400 or 6.8% in 2005, and \$3,079,900 or 6.4% in 2006.

**12/12/03**

ALJ Thorson

**A.03-01-034** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and  
**A.03-01-035** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and  
**A.03-01-036** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and  
**A.03-01-037** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District.

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**ADJOURNMENTS \* RESETTINGS \* HEARINGS CONCLUDED**

ALJ Brown

**Correction to the Daily Calendar of 12/15/03**

**A.03-02-027** - Application of SFPP, LP pursuant to Commission Resolution No. 0-0043 issued October 24, 2002,  
**Evidentiary Hearing held and concluded**

ALJ Wong

**Correction to the Daily Calendar of 12/15/03**

**A.03-06-021** - In the Matter of the Application of Southern California Gas Company (U 904 G) Regarding Year Nine (2002-2003) of its Gas Cost Incentive Mechanism,  
**Prehearing Conference held and concluded**

ALJ Simon

**Correction to the Daily Calendar of 12/16/03**

**C.02-11-011** - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant,  
**Evidentiary Hearing held and continued to December 16 at 1:00 p.m**

- ALJ Patrick      **Correction to the Daily Calendar of 12/16/03**  
**C.03-09-046** - Marcy A. Warner, Complainant, vs. Pacific Bell Telephone Company, dba SBC  
California, Defendant,  
**Expedited Complaint Proceeding Hearing held and concluded**
- ALJ Reed        **Correction to the Daily Calendar of 12/16/03**  
**C.03-10-037** - Pacific Bell Telephone Company, Complainant, vs. Pac-West Telecomm, Inc., Defendant,  
**Prehearing Conference held and concluded**
- ALJ Reed        **Correction to the Daily Calendar of 12/16/03**  
**C.03-10-045** - Pacific Bell Telephone Company (U-1001-C), Complainant, vs. Mpower  
Communications Corp. (U-5859-C), Defendant,  
**Prehearing Conference held and concluded**
- ALJ Brown      **A.03-07-032** - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U  
338-E) for Approval of a Power Purchase Agreement under PUHCA Section 32(k) Between the Utility  
and a Wholly-Owned Subsidiary and for Authority to Recover the Costs of Such Power Purchase  
Agreement in Rates,  
**Final Oral Argument held and concluded**
- ALJ Malcolm    **A.03-07-036** - In the Matter of the Application of California American Water Company (U 210 W) for  
an order authorizing it to increase its rates for water service in its Los Angeles Division to increase  
revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000  
or 5.22% in 2006,  
**Public Participation Hearings in San Marino and Monrovia held and continued to December 17 in  
Inglewood**
- ALJ Simon      **C.02-11-011** - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone  
Company (U-1001-C), Defendant,  
**Evidentiary Hearing held and continued to December 19**
- ALJ Simon      **C.03-10-030** - U. S. TelePacific Corp. (U-5721-C), Complainant, vs. Verizon California, Inc. (U-1002-  
C), Defendant,  
**Prehearing Conference held and concluded**
- ALJ McKenzie   **A.01-06-043** - In the Matter of the Application of Pacific Gas and Electric Company (U 39 M) for  
Approval of Leases to Allow CalPeak Power, LLC to Site Generator Plants on Utility Owned Land  
Adjacent to Substations, and  
**A.01-07-031** - Application of Pacific Gas and Electric Company on an Expedited Basis for Exemption  
under Section 853 for Easements on PG&E Land Allowing Delta Energy Center, LLC to Maintain an  
Electric Transition Structure for the Delta Project and CPN Pipeline to Maintain Gas Facilities for the  
Delta Project and the Los Medanos Energy Center Project, or in the Alternative for Approval of  
Easements under Section 851. (U 39 M),  
**Prehearing Conference originally set for December 17 reset to January 21**
- ALJ Pulsifer    **R.95-04-043** - Order Instituting Rulemaking on the Commission's Own Motion into Competition for  
Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission's Own Motion into Competition for  
Local Exchange Service,  
**Evidentiary Hearing originally set for January 12 – 16 reset to February 9 - 18**

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**REMOVALS FROM CALENDAR**



ALJ Grau      **C.03-10-004** - Laura Molina and Lake Elizabeth Utilities Consumer Group, Complainants, vs. Verizon California Inc., Defendant,  
**TELEPHONIC Prehearing Conference scheduled for December 17 has been removed from the Calendar**

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#### NEW SETTINGS

**1/5/04**      **I.00-11-001 (PHC)** - Order Instituting Investigation into Implementation of Assembly Bill 970  
2:00 p.m.      Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve  
ALJ TerKeurst      Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,  
Comr Lynch      **Commission Courtroom, San Francisco**

**1/21/04**      **C.03-11-019 (TELEPHONIC PHC)** - Francis J. Belanger, dba J&S Machine, Complainant, vs.  
10:00 a.m.      Southern California Edison Company, Defendant,  
ALJ Econome      **Commission Room 5113, San Francisco**  
Comr Brown

**2/4/04**      **A.03-10-039 (EH)** – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California  
10:00 a.m.      for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company  
ALJ Thomas      Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,  
Comr Wood      **Commission Courtroom, San Francisco**  
                         **(also February 5)**

**6/7/04**      **I.00-11-001 (EH)** - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding  
10:00 a.m.      the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those  
ALJ TerKeurst      Constraints, and Related Matters Affecting the Reliability of Electric Supply,  
Comr Lynch      **Commission Courtroom, San Francisco**  
                         **(also June 8 – 11 and June 14 – 18)**

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#### LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judge Sarah R. Thomas and Peter Allen at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

**12/22/03**      NONE SCHEDULED  
10:00 a.m.

**12/29/03**      NONE SCHEDULED  
10:00 a.m.

**1/5/04**      NONE SCHEDULED  
10:00 a.m.

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#### FINAL ORAL ARGUMENTS (FOA)

NONE

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**HEARINGS**

Dates in parentheses following the word “also” are subject to change without notice. The assigned Commissioner’s name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

*(PHC) = Prehearing Conference*  
*(EH) = Evidentiary Hearing*  
*(PPH) = Public Participation Hearing*  
*(IAM) = Initial Arbitration Meeting*  
*(M) = Mediation*

*(ECP) = Expedited Complaint Procedure*  
*(OSC) = Order to Show Cause*  
*(WS) = Workshop*  
*(FPH) = Full Panel Hearing*  
*(AH) = Arbitration Hearing*

*(CA) = Closing Argument*  
*(LM) = Law & Motion*  
*(OA) = Oral Argument*

- 12/17/03**  
 2:00 p.m. &  
 6:00 p.m.  
 ALJ Malcolm  
 Comr Lynch  
**A.03-07-036 (PPH)** - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006,  
**Inglewood City Hall Council Chamber, One Manchester Blvd., Inglewood, CA**
- 12/18/03**  
 10:00 a.m.  
 ALJ Thorson  
 Comr Brown  
**I.03-10-038 (PHC)** - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,  
**Commission Courtroom, San Francisco**
- 12/19/03**  
 9:30 a.m.  
 ALJ Simon  
 Comr Brown  
**C.02-11-011 (EH)** - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant,  
**Commission Courtroom, San Francisco**
- 12/19/03**  
 10:00 a.m.  
 ALJ Vieth  
 Comr Peevey  
**A.03-10-057 (PHC)** - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief,  
**Commission Courtroom, San Francisco**
- 1/5/04**  
 2:00 p.m.  
 ALJ TerKeurst  
 Comr Lynch  
**I.00-11-001 (PHC)** - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,  
**Commission Courtroom, San Francisco**
- 1/6/04**  
 10:00 a.m.  
 ALJ O'Donnell  
 Comr Brown  
**R.03-03-017 (PHC)** - Order Instituting Rulemaking on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and  
**I.03-03-018** - Order Instituting Investigation on the Commission's own Motion to re-examine the underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040, and  
**C.00-01-017** - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato, Defendants,  
**Commission Courtroom, San Francisco**
- 1/7/04**  
 9:00 a.m.  
 ALJ Fukutome  
 Comr Peevey  
**A.03-10-022 (Forecast Phase) (EH)** - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,  
**Commission Courtroom, San Francisco**

- 1/7/04**  
10:00 a.m.  
ALJ Thomas  
Comr Wood  
**A.03-10-039 (AH)** – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,  
**Commission Courtroom, San Francisco**  
**(also January 8)**
- 1/8/04**  
1:30 p.m.  
ALJ Grau  
Comr Brown  
**R.03-09-029 (PHC)** - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755,  
**Commission Courtroom, San Francisco**
- 1/9/04**  
9:00 a.m.  
ALJ Vieth  
Comr Wood  
**C.03-09-027 (EH)** - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs. Southern California Edison Company, Defendant,  
**Commission Courtroom, San Francisco**
- 1/12/04**  
10:00 a.m.  
ALJ Terkeurst  
Comr Lynch  
**A.02-09-043 (EH)** - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project,  
**Commission Courtroom, San Francisco**  
**(also January 13 - 16 and January 20 – 23) (Note: January 20 at 10:00 a.m. and the remaining days at 9:00 a.m.)**
- 1/12/04**  
10:00 a.m.  
ALJ Fukutome  
Comr Lynch  
**A.03-05-035 (EH)** - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006,  
**Commission Courtroom, San Francisco**  
**(Also January 13 - 16)**
- 1/12/04**  
4:00 p.m. &  
7:00 p.m.  
ALJ Walker  
Comr Brown  
**A.01-10-047 (PPH)** - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,  
**Oxnard City Hall Council Chamber, 305 West 3<sup>rd</sup> Street, Oxnard, CA**
- 1/13/04**  
9:00 a.m.  
ALJ Walker  
Comr Brown  
**A.01-10-047 (EH)** - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,  
**Oxnard City Hall Council Chamber, 305 West 3<sup>rd</sup> Street, Oxnard, CA**  
**(also January 14 - 16)**
- 1/13/04**  
9:30 a.m.  
ALJ Duda  
Comr Peevey  
**R.93-04-003 (Verizon UNE Phase) (WS)** - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and  
**I.93-04-002** - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,  
**San Francisco Civic Center Complex, 455 Golden Gate Avenue, Hearing Room 9, San Francisco, CA**  
**(also January 14 - 15)**
- 1/20/04**  
10:00 a.m.  
ALJ Allen  
Comr Brown  
Comr Lynch  
**A.00-11-038 (EH)** - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and  
**A.00-11-056** - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and  
**A.00-10-028** - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527,  
**Commission Courtroom, San Francisco**  
**(Also January 21 – 23 at 9:00 a.m.)**

**1/20/04**  
10:00 a.m.  
ALJ Koss  
Comr Peevey  
**C.03-08-030 (TELEPHONIC -PHC)** – County of Los Angeles, Complainant, vs. Union Pacific Railroad Company, Defendant,  
**Commission Room 5041A, San Francisco**

**1/20/04**  
10:00 a.m.  
ALJ Pulsifer  
Comr Kennedy  
**R.95-04-043 (PHC)** - Order Instituting Rulemaking on the Commission’s Own Motion into Competition for Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission’s Own Motion into Competition for Local Exchange Service,  
**Commission Courtroom, San Francisco**

**1/20/04**  
1:00 p.m.  
ALJ Koss  
Comr Brown  
**C.03-07-040 (PHC)** - City of Anaheim, Complainant, vs. Union Pacific Railroad Company, Defendant,  
**Commission Courtroom, San Francisco**

**1/21/04**  
10:00 a.m.  
ALJ McKenzie  
Comr Lynch  
**A.01-06-043 (PHC)** - In the Matter of the Application of Pacific Gas and Electric Company (U 39 M) for Approval of Leases to Allow CalPeak Power, LLC to Site Generator Plants on Utility Owned Land Adjacent to Substations, and  
**A.01-07-031** - Application of Pacific Gas and Electric Company on an Expedited Basis for Exemption under Section 853 for Easements on PG&E Land Allowing Delta Energy Center, LLC to Maintain an Electric Transition Structure for the Delta Project and CPN Pipeline to Maintain Gas Facilities for the Delta Project and the Los Medanos Energy Center Project, or in the Alternative for Approval of Easements under Section 851. (U 39 M),  
**Commission Courtroom, San Francisco**

**1/21/04**  
10:00 a.m.  
ALJ Econome  
Comr Brown  
**C.03-11-019 (TELEPHONIC PHC)** - Francis J. Belanger, dba J&S Machine, Complainant, vs. Southern California Edison Company, Defendant,  
**Commission Room 5113, San Francisco**

**1/21/04**  
10:00 a.m.  
ALJ Reed  
**C.03-11-024 (ECP)** - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,  
**Commission Courtroom, San Francisco**

**1/22/04**  
10:00 a.m.  
ALJ Bushey  
Comr Brown  
**I.03-08-017 (PHC)** - Investigation on the Commission’s own motion into the fatal accident at the North Street Crossing (MP 220.50) in the City of Selma, Fresno County, on June 6, 2003, and order to show cause why this crossing should not be closed,  
**Commission Courtroom, San Francisco**

**1/26/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Lynch  
**A.02-07-050 (EH)** - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service,  
**Commission Courtroom, San Francisco**  
**(January 27 – 30 and February 2 – 3)**

**1/26/04**  
10:00 a.m.  
ALJ Pulsifer  
Comr Kennedy  
**R.95-04-043 (EH)** - Order Instituting Rulemaking on the Commission’s Own Motion into Competition for Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission’s Own Motion into Competition for Local Exchange Service,  
**Commission Courtroom, San Francisco**  
**(also January 27 – 30 and February 2 – 6 at 9:00 a.m.)**

**1/27/04**  
1:30 p.m.  
ALJ Bushey  
Comr Wood  
**A.03-04-025 (PHC)** - In the Matter of the Application of San Gabriel Valley Water Company (U 377 W) for Authority to Implement a Low-Income Rate in Its Los Angeles Division in Compliance with Decision 02-10-058 in Application 01-10-028,  
**Commission Courtroom, San Francisco**

- 1/28/04**  
5:30 p.m.  
ALJ Malcolm  
Comr Kennedy  
**A.03-03-043 (PHC)** - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Viejo System Project,  
**Mission Viejo City Hall Council Chamber, 200 Civic Center, Mission Viejo, CA**
- 2/4/04**  
10:00 a.m.  
ALJ Thomas  
Comr Wood  
**A.03-10-039 (EH)** – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,  
**Commission Courtroom, San Francisco**  
**(also February 5)**
- 2/5/04**  
10:00 a.m.  
ALJ Walwyn  
Comr Peevey  
**R.01-10-024 (SDG & E RFP) (PHC)** - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,  
**Commission Courtroom, San Francisco**
- 2/9/04**  
9:30 a.m.  
ALJ Simon  
Comr Wood  
**A.02-01-031 (EH)** - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzeais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara,  
**Commission Courtroom, San Francisco**  
**(Also February 10 –11)**
- 2/9/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Lynch  
**A.03-07-036 (EH)** - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006,  
**Commission Courtroom, San Francisco**  
**(Also February 10 – 11 and February 23 – 24)**
- 2/9/04**  
10:00 a.m.  
ALJ Pulsifer  
Comr Kennedy  
**R.95-04-043 (EH)** - Order Instituting Rulemaking on the Commission’s Own Motion into Competition for Local Exchange Service, and  
**I.95-04-044** - Order Instituting Investigation on the Commission’s Own Motion into Competition for Local Exchange Service,  
**Commission Courtroom, San Francisco**  
**(also February 10 – 11, 13 and February 17 – 18))**
- 2/9/04**  
10:00 a.m.  
ALJ Walwyn  
Comr Peevey  
**R.01-10-024 (SDG & E RFP) (EH)** - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,  
**Commission Courtroom, San Francisco**  
**(also February 10 – 11, 13 and February 17 – 20)**
- 2/10/04**  
9:00 a.m. -  
3:00 p.m.  
ALJ Thorson  
Comr Kennedy  
**A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Courtroom, San Francisco**

- 2/17/04**  
10:00 a.m.  
ALJ Thomas  
Comr Brown  
**C.03-07-031 (EH)** - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,  
**Commission Courtroom, San Francisco**  
**(also February 18 – 20 and February 23 – 25)**
- 2/18/04**  
2:00 p.m.  
ALJ Barnett  
Comr Wood  
**C.01-01-032 (PHC)** - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and  
**C.01-01-051** - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and  
**C.01-09-011** - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant,  
**Commission Courtroom, San Francisco**
- 2/20/04**  
12:00 noon  
ALJ Barnett  
**C.03-12-012 (ECP)** - Dean B. Lumibao, Complainant, vs. Verizon Wireless, Defendant,  
**Commission Courtroom, State Office Building, 320 West 4<sup>th</sup> Street, Suite 500, Los Angeles, CA**
- 2/23/04**  
10:00 a.m.  
ALJ Walker  
Comr Brown  
**C.02-07-044 (EH)** – The Utility Consumers’ Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants,  
**Commission Courtroom, San Francisco**  
**(also February 24 – 27)**
- 2/23/04**  
12:00 noon  
ALJ Barnett  
**C.03-11-028 (ECP)** - Stephen L. Winke and Andrea J. Schlang, Complainant, vs. Myoma Dunes Mutual Water Company, Defendant,  
**Palm Springs City Hall – West Conference Room, 3200 E. Tahquitz Canyon Way, Palm Springs, CA**
- 2/24/04**  
2:00 p.m.  
ALJ Barnett  
Comr Wood  
**A.02-05-004 (PHASE 2) (PHC)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and  
**I.02-06-002** - Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,  
**Commission Courtroom, San Francisco**
- 3/1/04**  
10:00 a.m.  
ALJ Barnett  
Comr Wood  
**A.02-05-004 (PHASE 2) (EH)** - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and  
**I.02-06-002** - Investigation on the Commission’s Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,  
**Commission Courtroom, San Francisco**  
**(also March 2 - 4; March 8 - 11; and March 15 – 18)**
- 3/1/04**  
9:00 a.m.  
ALJ Vieth  
Comr Wood  
**A.03-10-006 (EH)** - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its Metropolitan Service Area,  
**Commission Courtroom, San Francisco**  
**(also March 2 – 5)**
- 3/3/04**  
10:00 a.m.  
ALJ Mattson  
Comr Kennedy  
**A.03-09-008 (PHC)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and  
**A.03-09-031 (PHC)** - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,  
**Commission Courtroom, San Francisco**

- 3/18/04**  
10:00 a.m.  
ALJ Malcolm  
Comr Peevey  
**R.03-10-003 (EH)** - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation,  
**Commission Courtroom, San Francisco**  
**(also March 19)**
- 3/19/04**  
10:00 a.m. -  
12:00 p.m.  
ALJ Thorson  
Comr Kennedy  
**A.03-10-017 (PHC)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Courtroom, San Francisco**
- 3/22/04**  
3:00 p.m. -  
5:00 p.m.  
ALJ Thorson  
Comr Kennedy  
**A.03-10-017 (WS)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Room 5012, San Francisco**
- 3/23/04**  
9:00 a.m. -  
3:00 p.m.  
ALJ Thorson  
Comr Kennedy  
**A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and  
**A.03-10-018** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and  
**A.03-10-019** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and  
**A.03-10-020** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and  
**A.03-10-021** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and  
**A.03-10-031** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),  
**Commission Courtroom, San Francisco**  
**(also March 24 – 26 and March 29 - 30)**

- 3/29/04**  
10:00 a.m.  
ALJ TerKeurst  
Comr Lynch
- I.02-11-040 (EH)** - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and  
**I.03-02-033** - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities,  
**Commission Courtroom, San Francisco**  
**(also March 30, April 1 - 2; April 5 - 9; April 19 - 23; and April 26 - 30)**
- 4/7/04**  
11:00 a.m.  
ALJ Malcolm  
Comr Peevey
- R.03-08-018 (PHC)** - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges,  
**Commission Courtroom, San Francisco**
- 4/12/04**  
9:30 a.m.  
ALJ Simon  
Comr Kennedy
- A.03-01-013 (EH)** - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, and  
**A.03-07-049** - Application of the Pasadena Avenue Monterey Road Committee and City of South Pasadena for Variance of General Order 75-C, and  
**A.03-07-050** - In the Matter of the Application of the City of South Pasadena for Approval of Ordinance 2121 Relating to Limitations of Train Speeds Pursuant to Section 7658 of the California Public Utilities Code,  
**Commission Courtroom, San Francisco**  
**(also April 13 - 16)**
- 4/12/04**  
10:00 a.m.  
ALJ Fukutome  
Comr Peevey
- A.03-10-022 (Reasonableness Phase) (EH)** - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,  
**Commission Courtroom, San Francisco**  
**(also April 13 - 16)**
- 6/7/04**  
10:00 a.m.  
ALJ TerKeurst  
Comr Lynch
- I.00-11-001 (EH)** - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,  
**Commission Courtroom, San Francisco**  
**(also June 8 - 11 and June 14 - 18)**
- 6/14/04**  
9:30 a.m.  
ALJ Duda  
Comr Peevey
- R.93-04-003 (Verizon UNE Phase) (EH)** - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and  
**I.93-04-002** - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,  
**Commission Courtroom, San Francisco**  
**(also June 15 - 18)**
- 7/7/04**  
10:00 a.m.  
ALJ Mattson  
Comr Kennedy
- A.03-09-008 (PHC)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and  
**A.03-09-031 (PHC)** - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,  
**Commission Courtroom, San Francisco**



**7/12/04**      **A.03-09-008 (EH)** - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and  
 9:00 a.m.      **A.03-09-031 (EH)** - In the Matter of the Application of San Diego Gas & Electric Company (U904 G)  
 ALJ Mattson      For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,  
 Comr Kennedy      **Commission Courtroom, San Francisco**  
                                  (Also July 13 – 16; July 19 – 23; and July 26 – 30)

### NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the “Filing of Notice of Denial of Request for Ex Parte Meeting.” The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission’s Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

NONE

### NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

NONE

### NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

12/10/03	R02-06-041	Order Instituting Rulemaking to require California Natural Gas and Electric Utilities to preserve Interstate Pipeline Capacity to California.
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**Summary: THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION THAT WAS FILED ON DECEMBER 4, 2003 AND APPEARED IN THE CALENDAR OF DECEMBER 10, 2003.** On December 1, 2003, Avis Clark of Calpine Corporation (Calpine) met with Belinda Gatti, advisor to Cmmr. Brown, in San Francisco. Also present were David Springmeyer and Wendall Harkleroad of IMC Chemicals Inc., and Joseph Karp of White & Case LLP, attorney for Calpine, Duke Energy North America, Mirant America, Inc., and Watson Cogeneration Company. Karp stated that although the proposed decision (PD) adequately addresses most of the issues, the Commission should make three changes to the PD. Karp stated that the Commission should clarify that the utilities do not need to get additional El Paso Capacity; order a cash refund for non-core gas customers of Pacific Gas and Electric Company for amounts that these customers previously paid to PG&E, and defer TURN’s strategic reserve proposal.

**Filer: Calpine Corporation, Duke Energy North America, Mirant America, Inc., Watson Cogeneration Company**  
**Contact: Enoch H. Chang**

**Phone: (415) 544-1100**  
**email: echang@whitecase.com**

12/11/03	A01-10-011	Pacific Gas and Electric Company (U 39 G) Proposing a Market Structure and Rules for the Northern California Natural Gas
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Industry for the Period Beginning January 1, 2003 as Required by  
Commission Decision 01-09-016.

**Summary:** On December 8, 2003, Brian Cragg, representing Duke Energy North America, LLC and Duke Energy Trading and Marketing, LLC (collectively, "Duke") spoke on the telephone with Trina Horner, advisor to Cmmr. Lynch. Cragg discussed the effects of the backbone-level rate recommended in Cmmr. Peevey's alternate. Cragg noted that the backbone-level rate would have detrimental effect on competition among electric generators, and would put Duke at a competitive disadvantage compared to its direct rivals. Cragg also pointed out that the backbone-level rate would shift the costs of the local transmission system from the favored noncore customers to other customers, including core customers. Cragg also described the long-term incentives the backbone-level rate creates regarding the siting of electric generation plants along the backbone and how clustering plants along the backbone would create congestion for electric transmission and would require customers to bear additional costs for upgrades required to move power to the load center.

**Filer:** Duke Energy North America, LLC; Duke Energy Trading and Marketing, LLC

**Contact:** Melinda LaJaunie

**Phone:** (415) 392-7900

**Summary:** On December 8, 2003, Brian Cragg, representing Duke Energy North America, LLC and Duke Energy Trading and Marketing, LLC (collectively, "Duke") spoke on the telephone with Belinda Gatti, advisor to Cmmr. Brown, and also left a short voicemail message for Belinda Gatti shortly after the conclusion of the call. Cragg discussed the effects of the backbone-level rate recommended in Cmmr. Peevey's alternate. Cragg noted that the backbone-level rate would have detrimental effect on competition among electric generators, and would put Duke at a competitive disadvantage compared to its direct rivals. Cragg also pointed out that the backbone-level rate would increase local transmission charges for core customers. Cragg also stated that it was unclear how the exit fee mentioned in the alternate would be calculated. Cragg also described the long-term incentives the backbone-level rate creates regarding the siting of electric generation plants along the backbone and how clustering plants along the backbone would create congestion for electric transmission and would require customers to bear additional costs for upgrades required to move power to the load center.

**Filer:** Duke Energy North America, LLC; Duke Energy Trading and Marketing, LLC

**Contact:** Melinda LaJaunie

**Phone:** (415) 392-7900

12/11/03	A03-07-032	Southern California Edison Company, for Approval of a Power Purchase Agreement under PUHCA Section 32(k) between the Utility and a wholly-Owned Subsidiary and for Authority to Recover the Costs of such Power Purchase Agreement in Rates.
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**Summary:** On December 8, 2003, Mark Fogelman of Steefel, Levitt & Weiss, P.C., attorneys for the Navajo Nation, met with Cmmr. Kennedy in San Francisco. Also present were Ross LaJeunesse, advisor to Cmmr. Peevey, and Christine Hammond of Steefel, Levitt & Weiss, P.C. Fogelman stated that, among the many legal errors, is the proposed decision's (PD) failure to include a comparative analysis between Mountainview and other feasible energy alternatives, such as the Mohave Generating Station, in violation of Public Utilities Code Section 1001, the California Environmental Quality Act, and the Public Utility Holding Company Act. Fogelman noted that undisputed record evidence shows that Mohave is more cost-effective than Mountainview. Fogelman also communicated the Navajo Nation's concern that Southern California Edison Company's (SCE) Mountainview Application would prejudice the future of the Mohave Generating Station. In view of the likelihood that the final decision will be overturned on appeal if the PD remains unchanged, Fogelman recommended that the Commission keep the proceeding open.

**Filer:** Navajo Nation

**Contact:** Mark Fogelman

**Phone:** (415) 788-0900

**email:** mfogelman@steefel.com

12/11/03	R01-10-024	Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development.
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**Summary:** On September 9, 2003, Robin Smutny-Jones of the California Independent System Operator

Corporation (ISO) met with Cmmr. Kennedy in San Francisco. Also present were Terry Winter and Jim Detmers for the ISO. ISO representatives focused on what it considers to be the primary needs of a resource adequacy program, including locking-up capacity a month ahead of time, ensuring that there is adequate accounting for available resources and the need for effective deliverability standards. ISO representatives stressed the need to avoid an over-reliance on spot market purchases.

**Filer: California Independent System Operator Corporation**

**Contact: Anthony J. Ivancovich**

**Phone: (916) 608-7135**

12/12/03

I02-04-026

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.

**Summary:** On December 12, 2003, Michel Florio of The Utility Reform Network (TURN) met with Cmmr. Wood in San Francisco. Also present were Steve Weissman and Bill Julian, advisors to Cmmr. Wood, and Edward O'Neill of Davis Wright Tremaine, counsel, and Margaret Meal, financial consultant, for TURN. Written material (attached to the notice) was used. TURN representatives reaffirmed its intention to vigorously pursue judicial review of any Commission decision that did not provide adequate protection for ratepayer interests. TURN representatives expressed disappointment at the short shrift the proposed decision and the alternate decisions give to the TURN proposal to finance a substantial portion of the bankruptcy plan through a dedicated rate component (DRC) rather than through a regulatory asset. TURN representatives expressed support for Cmmr. Wood's effort in his alternate to reduce the total amount of recovery allowed to PG&E, and urged the Commission to develop a compromise proposal that adequately protects ratepayer interests. TURN representatives noted that, if the DRC approach is adopted, ratepayers may benefit on a net present value basis from a longer rather than a shorter amortization period.

**Filer: The Utility Reform Network**

**Contact: Katharina Mack**

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